

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ELI LILLY AND COMPANY

Plaintiff

V.

CASE NO. 3:24-CV-2634

MANGOCEUTICALS, INC. D/B/A

MANGO

Defendant

**PROPOSED ORDER GRANTING DEFENDANT MANGOCEUTICAL, INC.'S
MOTION TO DISMISS PURSUANT TO F.R.C.P. 12(B)(6)**

This matter came before the Court upon the motion of Defendant Mangoceuticals, Inc. (“Defendant”) to dismiss Plaintiff Eli Lilly and Company’s (“Plaintiff”) cause of action for false advertising under Texas common law. Defendant filed its motion on January , 2025.

Based upon the briefing submitted to this Court, the Court finds that Plaintiff has failed to allege a cognizable legal theory for false advertising under the Texas common law.

Based upon the foregoing, **IT IS HEREBY ORDERED:**

1. Plaintiff’s cause of action for common law false advertising is dismissed in its entirety, without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: _____

Sidney A. Fitzwater
United States District Judge